

(c) If the fellow is enrolled for less than a full academic year, the Secretary pays the institution a pro rata share of the allowance.

(Authority: 20 U.S.C. 1134j)

§ 650.42 How are stipends to be administered?

(a) The institution annually shall calculate the amount of a fellow's financial need in the same manner as that in which the institution calculates its students' financial need under part F of title IV of the HEA.

(b) For a fellowship initially awarded for an academic year prior to the academic year 1993-1994, the institution shall pay the fellow a stipend in the amount of the fellow's financial need or \$10,000, whichever is less.

(c) For a fellowship initially awarded for the academic year 1993-1994 or any succeeding academic year, the institution shall pay the fellow a stipend at a level of support equal to that provided by the National Science Foundation graduate fellowships, except that the amount must be adjusted

as necessary so as not to exceed the fellow's demonstrated level of financial need.

(Authority: 20 U.S.C. 1134j)

§ 650.43 How are disbursement and return of grant award funds made?

(a) An institution shall disburse a stipend to a fellow no less frequently than once per academic term. If the fellowship is vacated or discontinued, the institution shall return any unexpended funds to the Secretary at such time and in such manner as the Secretary may require.

(b) If a fellow withdraws from an institution before completion of an academic term, the institution shall refund to the Secretary a prorated portion of the institutional payment that it received with respect to that fellow. The institution shall return those funds to the Secretary at such time and in such manner as the Secretary may require.

(c) A fellow who withdraws from an institution before completion of an academic term for which the fellow

received a stipend installment shall return a prorated portion of the stipend installment to the institution at such time and in such manner as the Secretary may require.

(Authority: 20 U.S.C. 1134j)

§ 650.44 What records and reports are required from institutions?

(a) An institution shall provide to the Secretary, prior to receiving funds for disbursement to a fellow, a certification from an appropriate official at the institution stating whether that fellow is making satisfactory progress in, and is devoting essentially full time to the program for which the fellowship was awarded.

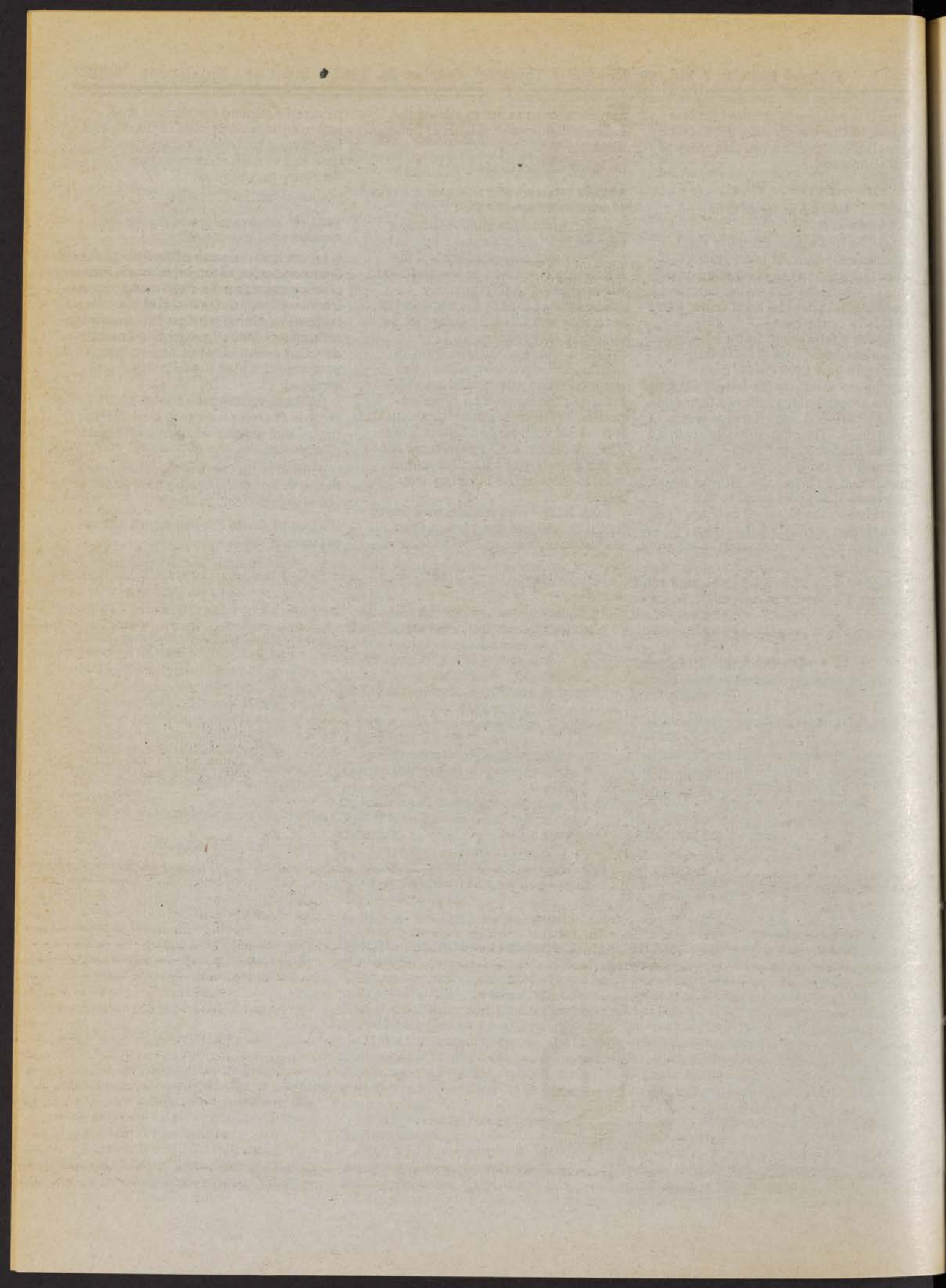
(b) An institution shall keep such records as are necessary to establish the timing and amount of all disbursements of stipends.

(Approved by the Office of Management and Budget under control number 1840-0562)

(Authority: 20 U.S.C. 1134k)

[FR Doc. 93-26495 Filed 10-27-93; 8:45 am]

BILLING CODE 4000-01-P



federal register

**Thursday
October 28, 1993**

Part V

Department of Education

**Jacob K. Javits Fellowship Program;
Notice**

DEPARTMENT OF EDUCATION

[CFDA No. 84.170]

**Jacob K. Javits Fellowship Program;
Inviting Applications for New Awards
for Fiscal Year (FY) 1994**

Purpose of Program: To award fellowships to eligible students of superior ability, selected on the basis of demonstrated achievement and exceptional promise, to undertake graduate study leading to a doctorate at accredited institutions of higher education in selected fields of the arts, humanities, or social sciences. This program supports National Education Goal Five calling for adult Americans to possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

Eligible Applicants: Eligibility for fellowships to pursue a doctoral degree that will not lead to an academic career is limited to U.S. citizens, permanent residents of the U.S., persons in the process of becoming U.S. citizens or permanent residents, and permanent residents of the Trust Territories of the Pacific Islands or Northern Mariana Islands. Eligibility for fellowships to pursue a doctoral degree that will lead to an academic career is limited to U.S. citizens.

Deadline for Transmittal of Applications: January 18, 1994.

Applications Available: November 1, 1993.

Available Funds: The Administration has requested \$8,664,000 for this program for FY 1994. However, the actual level of funding is contingent upon final Congressional action.

Estimated Range of Awards: The Secretary has determined the maximum fellowship stipend for academic year 1994-1995 to be equal to the level of support that the National Science Foundation is providing for its graduate fellowships, which is currently \$14,000. The Secretary estimates that the institutional payment for academic year 1994-1995 will be \$9,243, which represents a 2.7 percent adjustment of the academic year 1993-1994 payment based on the Department of Labor's projection in April 1993 of the Consumer Price Index for 1993. The Secretary may adjust the institutional payment prior to the issuance of grant awards based on the Department of Labor's actual Consumer Price Index for 1993.

Estimated Average Size of the Awards: \$22,000.

Estimated Number of Awards: 120-130 individual fellowships.

Supplementary Information: Sixty percent of new awards will be available for fellowships to otherwise eligible applicants who have earned no credit hours applicable to a graduate degree. The remaining forty percent of new awards will be available for fellowships

to all otherwise eligible applicants. In each of these two categories, a minimum of forty percent of these new fellowships will be awarded to applicants in the humanities, twenty-five percent to applicants in the social sciences, and fifteen percent in the arts.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 48 months.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75 (except as provided in 34 CFR 650.3(b)), 77, 82, 85 and 86; and (b) The regulations for this program in 34 CFR part 650 are published elsewhere in this issue of the Federal Register.

For Applications or Information Contact: Jacob K. Javits Fellowship Program, P.O. Box 84, Washington, DC 20044. Telephone: 1-800-433-3243. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

Program Authority: 20 U.S.C. 1134, 1134h-k.

Dated: October 22, 1993.

David A. Longanecker,
Assistant Secretary for Postsecondary Education.

[FR Doc. 93-26496 Filed 10-27-93; 8:45 am]

BILLING CODE 4000-01-P

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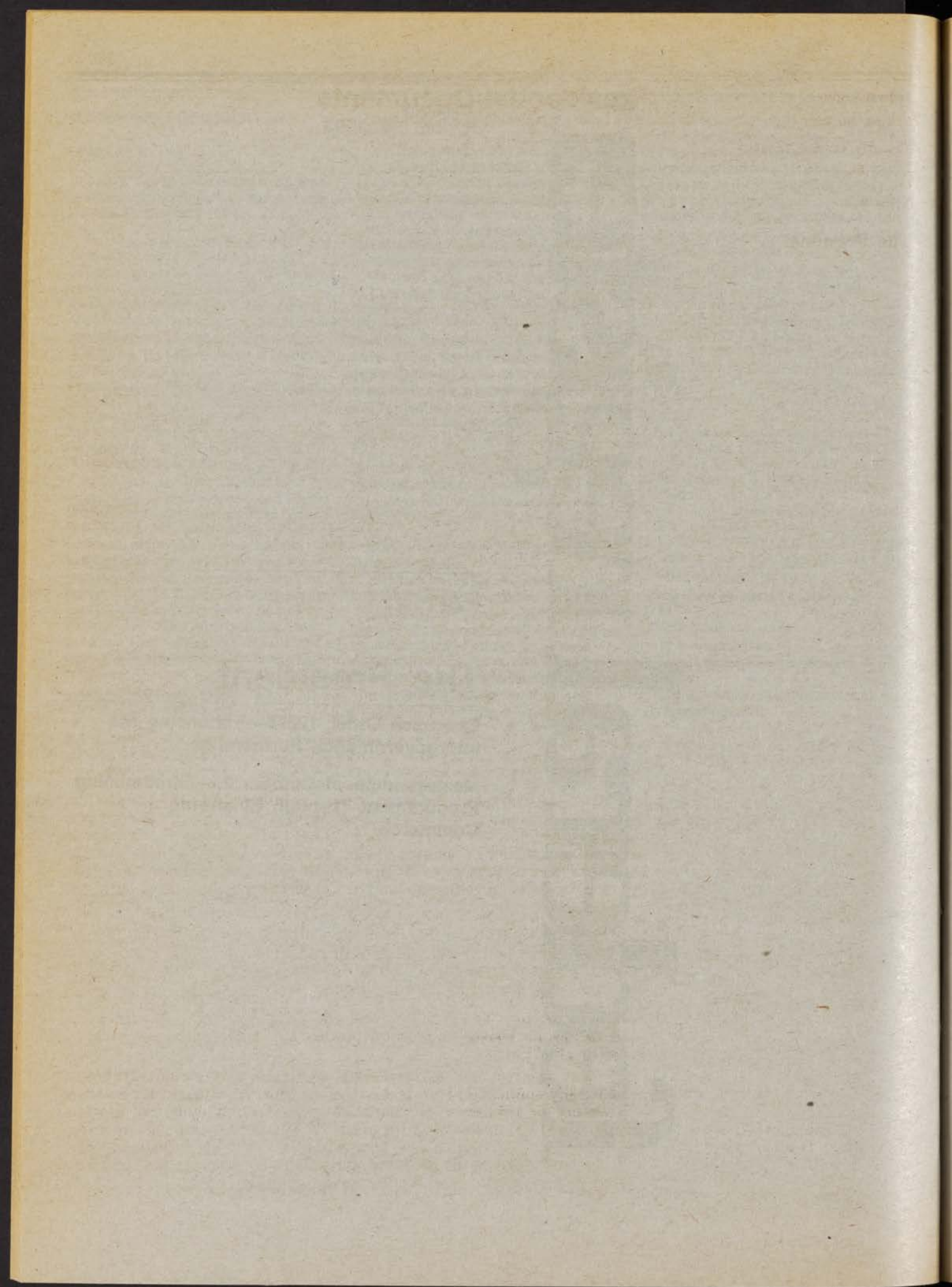
Thursday
October 28, 1993

Part VI

The President

**Executive Order 12875—Enhancing the
Intergovernmental Partnership**

**Memorandum of October 26—Streamlining
Procurement Through Electronic
Commerce**



Presidential Documents

Title 3—

Executive Order 12875 of October 26, 1993

The President

Enhancing the Intergovernmental Partnership

The Federal Government is charged with protecting the health and safety, as well as promoting other national interests, of the American people. However, the cumulative effect of unfunded Federal mandates has increasingly strained the budgets of State, local, and tribal governments. In addition, the cost, complexity, and delay in applying for and receiving waivers from Federal requirements in appropriate cases have hindered State, local, and tribal governments from tailoring Federal programs to meet the specific or unique needs of their communities. These governments should have more flexibility to design solutions to the problems faced by citizens in this country without excessive micromanagement and unnecessary regulation from the Federal Government.

THEREFORE, by the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to reduce the imposition of unfunded mandates upon State, local, and tribal governments; to streamline the application process for and increase the availability of waivers to State, local, and tribal governments; and to establish regular and meaningful consultation and collaboration with State, local, and tribal governments on Federal matters that significantly or uniquely affect their communities, it is hereby ordered as follows:

Section 1. *Reduction of Unfunded Mandates.* (a) To the extent feasible and permitted by law, no executive department or agency ("agency") shall promulgate any regulation that is not required by statute and that creates a mandate upon a State, local, or tribal government, unless:

(1) funds necessary to pay the direct costs incurred by the State, local, or tribal government in complying with the mandate are provided by the Federal Government; or

(2) the agency, prior to the formal promulgation of regulations containing the proposed mandate, provides to the Director of the Office of Management and Budget a description of the extent of the agency's prior consultation with representatives of affected State, local, and tribal governments, the nature of their concerns, any written communications submitted to the agency by such units of government, and the agency's position supporting the need to issue the regulation containing the mandate.

(b) Each agency shall develop an effective process to permit elected officials and other representatives of State, local, and tribal governments to provide meaningful and timely input in the development of regulatory proposals containing significant unfunded mandates.

Sec. 2. *Increasing Flexibility for State and Local Waivers.* (a) Each agency shall review its waiver application process and take appropriate steps to streamline that process.

(b) Each agency shall, to the extent practicable and permitted by law, consider any application by a State, local, or tribal government for a waiver of statutory or regulatory requirements in connection with any program administered by that agency with a general view toward increasing opportunities for utilizing flexible policy approaches at the State, local, and tribal level in cases in which the proposed waiver is consistent with the applicable Federal policy objectives and is otherwise appropriate.

(c) Each agency shall, to the fullest extent practicable and permitted by law, render a decision upon a complete application for a waiver within 120 days of receipt of such application by the agency. If the application for a waiver is not granted, the agency shall provide the applicant with timely written notice of the decision and the reasons therefor.

(d) This section applies only to statutory or regulatory requirements of the programs that are discretionary and subject to waiver by the agency.

Sec. 3. Responsibility for Agency Implementation. The Chief Operating Officer of each agency shall be responsible for ensuring the implementation of and compliance with this order.

Sec. 4. Executive Order No. 12866. This order shall supplement but not supersede the requirements contained in Executive Order No. 12866 ("Regulatory Planning and Review").

Sec. 5. Scope. (a) Executive agency means any authority of the United States that is an "agency" under 44 U.S.C. 3502(1), other than those considered to be independent regulatory agencies, as defined in 44 U.S.C. 3502(10).

(b) Independent agencies are requested to comply with the provisions of this order.

Sec. 6. Judicial Review. This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

Sec. 7. Effective Date. This order shall be effective 90 days after the date of this order.

William Clinton

THE WHITE HOUSE,
October 26, 1993.

[FR Doc. 93-26772

Filed 10-27-93; 11:13 am]

Billing code 3195-01-P

Presidential Documents

Memorandum of October 26, 1993

Streamlining Procurement Through Electronic Commerce

Memorandum for the Heads of Executive Departments and Agencies [and] the President's Management Council

The Federal Government spends \$200 billion annually buying goods and services. Unfortunately, the red tape and burdensome paperwork of the current procurement system increases costs, produces unnecessary delays, and reduces Federal work force productivity. Moving to an electronic commerce system to simplify and streamline the purchasing process will promote customer service and cost-effectiveness. The electronic exchange of acquisition information between the private sector and the Federal Government also will increase competition by improving access to Federal contracting opportunities for the more than 300,000 vendors currently doing business with the Government, particularly small businesses, as well as many other vendors who find access to bidding opportunities difficult under the current system. For these reasons, I am committed to fundamentally altering and improving the way the Federal Government buys goods and services by ensuring that electronic commerce is implemented for appropriate Federal purchases as quickly as possible.

1. OBJECTIVES.

The objectives of this electronic commerce initiative are to:

- (a) exchange procurement information—such as solicitations, offers, contracts, purchase orders, invoices, payments, and other contractual documents—electronically between the private sector and the Federal Government to the maximum extent practical;
- (b) provide businesses, including small, small disadvantaged, and women-owned businesses, with greater access to Federal procurement opportunities;
- (c) ensure that potential suppliers are provided simplified access to the Federal Government's electronic commerce system;
- (d) employ nationally and internationally recognized data formats that serve to broaden and ease the electronic interchange of data; and
- (e) use agency and industry systems and networks to enable the Government and potential suppliers to exchange information and access Federal procurement data.

2. IMPLEMENTATION.

The President's Management Council, in coordination with the Office of Federal Procurement Policy of the Office of Management and Budget, and in consultation with appropriate Federal agencies with applicable technical and functional expertise, as necessary, shall provide overall leadership, management oversight, and policy direction to implement electronic commerce in the executive branch through the following actions:

- (a) by March 1994, define the architecture for the Government-wide electronic commerce acquisition system and identify executive departments or agencies responsible for developing, implementing, operating, and maintaining the Federal electronic system;
- (b) by September 1994, establish an initial electronic commerce capability to enable the Federal Government and private vendors to electronically

exchange standardized requests for quotations, quotes, purchase orders, and notice of awards and begin Government-wide implementation;

(c) by July 1995, implement a full scale Federal electronic commerce system that expands initial capabilities to include electronic payments, document interchange, and supporting databases; and

(d) by January 1997, complete Government-wide implementation of electronic commerce for appropriate Federal purchases, to the maximum extent possible.

This implementation schedule should be accelerated where practicable.

The head of each executive department or agency shall:

(a) ensure that budgetary resources are available, within approved budget levels, for electronic commerce implementation in each respective department or agency;

(b) assist the President's Management Council in implementing the electronic commerce system as quickly as possible in accordance with the schedules established herein; and

(c) designate one or more senior level employees to assist the President's Management Council and serve as a point of contact for the development and implementation of the Federal electronic commerce system within each respective department or agency.

3. NO PRIVATE RIGHTS CREATED.

This directive is for the internal management of the executive branch and does not create any right or benefit, substantive or procedural, enforceable by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

The Director of the Office of Management and Budget is authorized and directed to publish this memorandum in the Federal Register.

William Clinton

THE WHITE HOUSE,
Washington, October 26, 1993.

[FR Doc. 93-26771

Filed 10-27-93; 11:12 am]

Billing code 3110-01-M

Editorial note: For the President's remarks on signing this memorandum, see issue 43 of the *Weekly Compilation of Presidential Documents*.